

**Law Offices of Robert R. Ronne**  
**A Professional Corporation**  
840 APOLLO STREET  
SUITE 307  
EL SEGUNDO, CA 90245  
TELEPHONE: (310) 322-1696  
FACSIMILE: (310) 322-3039

**STATEMENT OF SERVICES**

**EDGARDO SEMINIANO V. XYRIS ENTERPRISES**

**U.S. District Court Case CV10- 01673-JST(JEMx)**

**December 16, 2009 through January 19, 2011**

DATE	SERVICES RENDERED	TIME SPENT	AMOUNT
12-16-09	Conference with client; Investigate using search and Internet tools the business and financial operations of Defendants	1.5	\$ 712.50
12-21-09	Conference with client meeting; Review and analyze supplemental documents provided	1.1	\$ 522.50
02-12-10	Prepare rough calculations of sums owing Plaintiff, including FLSA and State claims	4.0	\$ 1,900.00
02-16-10	Prepare demand letter to defendant	0.5	\$ 237.50
03-04-10	Prepare Public Records Act request letter to California Department of Social Services; Prepare complaint	1.5	\$ 712.50
03-11-10	Receive and review Court's standing order	0.1	\$ 47.50
03-15-10	Receive and review correspondence from California Department of Social Services regarding Public Records Act request	0.1	\$ 47.50
03-22-10	Telephone conferences (2) with legal counsel for the California Department of Social Services regarding Public Records Act request and the results of the request	0.3	\$ 142.50
03-29-10	Receipt and analyze letter from counsel for California Department of Social Services regarding Public Records Act request	0.1	\$ 47.50

03-31-10	Receive and review correspondence from defendant	0.1	\$ 47.50
04-01-10	Prepare responsive correspondence to defendant	0.1	\$ 47.50
04-08-10	Receipt and analysis of Defendants' answer to complaint; Prepare and exchange emails with defense counsel regarding deficient answer to complaint	0.6	\$ 285.00
05-06-10	Prepare letter to defense counsel	0.1	\$ 47.50
05-10-10	Phone conversation with client	0.1	\$ 47.50
05-12-10	Prepare correspondence to defense counsel; Telephone conference with defense counsel	0.2	\$ 95.00
05-25-10	Meet with client	0.9	\$ 427.50
06-17-10	Prepare e-mail to defense counsel regarding mediation and discovery; Begin preparation of deposition notices (2) to defendants, including 14 request to produce categories	1.2	\$ 570.00
06-18-10	Receive and review e-mails from defense counsel; Prepare e-mail to defense counsel; Prepare e-mail to proposed mediator; Finalize notices of depositions of defendants (2), including 14 request to produce categories	1.0	\$ 475.00
06-21-10	Review initial disclosure; review draft spread sheet; Assess potential litigation strategies; Review mediation e-mails and prepare detailed response to same	0.5	\$ 237.50
06-22-10	Receive and review e-mail from mediator; respond to same; Prepare e-mail to defense counsel	0.2	\$ 95.00
07-08-10	Analysis of Court order for court trial; Prepare e-mail to defense counsel; Prepare stipulation to consent to mediator; Receive and review e-mail from defense counsel; Prepare letter to client	1.0	\$ 475.00
07-15-10	Prepare e-mail to mediator	0.1	\$ 47.50

08-03-10	Receive and review e-mail from defendant attorney concerning cancellation of depositions, alleged health and out of country travel issues, request for Plaintiff's deposition; Receive and review notice of reassignment; Compose responsive e-mail concerning depositions	0.5	\$ 237.50
08-04-10	Receipt of e-mail from counsel for defendants renegeing on depositions dates and other matters; Prepare response to same in the nature of a meet and confer; strategy conference; Receive and review multiple additional and new e-mails and respond to same	1.7	\$ 807.50
08-05-10	Analysis of discovery issues; Prepare and receive additional e-mails to and from defense counsel	0.4	\$ 190.00
08-09-10	Receive and review defendant's initial disclosures; Prepare letter to client; Prepare e-mail to defense counsel regarding depositions	0.9	\$ 427.50
08-10-10	Prepare two (2) notices of continuance of deposition	0.2	\$ 95.00
08-11-10	Receive and review defense initial disclosures	0.2	\$ 95.00
08-12-10	Receive and review defense counsel's notice of vacation/unavailability	0.1	\$ 47.50
08-16-10	Assess draft of comments by client on list of more than 15 of defense witnesses; Conference with client	1.4	\$ 665.00
08-19-10	Prepare letter to defense counsel regarding requested inspection of work premises; Prepare Rule 34 request for inspection of premises	0.5	\$ 237.50
09-14-10	Prepare e-mail to defense counsel regarding inspection of work premises	0.1	\$ 47.50
09-23-10	Prepare for depositions of Defendants	2.0	\$ 950.00
09-24-10	Further preparation for depositions of Defendants; Prepare e-mail to defense counsel	2.0	\$ 950.00

09-27-10	Prepare correspondence to defense counsel regarding the failure to respond and depositions; Transmit letter by e-mail also	0.2	\$ 95.00
10-05-10	Assess potential case strategies; Prepare letter to client	0.4	\$ 190.00
10-12-10	Prepare unilateral report; Receive and review extensive documents from court, including minutes on reassignment; court order for trial; standing order	3.5	\$ 1,662.50
10-14-10	Prepare status letter to client	0.2	\$ 95.00
10-15-10	Phone conversation with court clerk; Prepare order and lodge and electronically file and e-mail same	0.7	\$ 332.50
10-20-10	Receipt and assessment of court order	0.1	\$ 47.50
10-21-10	Prepare letter to client; Prepare draft proof of order	0.2	\$ 95.00
11-01-10	Preparation for court hearing; Travel and attend court ordered hearing; Participate in lengthy meeting and discussions with plaintiff	4.0	\$ 1,900.00
12-09-10	Assess opposition to motion for summary judgment submitted by defense counsel	0.4	\$ 190.00
12-10-10	Preparation of reply to opposition to motion for summary judgment; Review local rules	2.0	\$ 950.00
12-13-10	Further preparation and finalize reply brief	2.5	\$ 1,187.50
01-19-11	Receive and review order granting summary judgment and summary judgment; Prepare letter to client; Receive and review defense counsel's notice of unavailability	0.1	\$ 47.50
	<b>Total</b>	<b>39.6</b>	<b>\$ 18,810.00</b>

Dennis W. Rihn  
 215 North Marengo Avenue  
 Suite 376  
 Pasadena, CA 91101

January 26, 2011

Invoice # 11174

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
6/2/2010 Prepare draft joint report	0.50 475.00/hr	237.50
6/4/2010 Prepare letter to defense counsel	0.10 475.00/hr	47.50
6/16/2010 Revise draft joint report; Telephone conference with defense counsel to conduct Rule 26(f) conference; Extended phone conference with client; Review and analyze Community Care Licensing documents and client documents; Begin preparation of initial disclosures	3.50 475.00/hr	1,662.50
6/17/2010 Telephone conference with client	0.10 475.00/hr	47.50
6/21/2010 Detailed analysis of sums owed based upon various factual scenarios under both state and federal law; Further preparation of initial disclosures; Telephone conference with client; Edit joint report; Prepare ADR questionnaire; Prepare email to defense counsel	5.50 475.00/hr	2,612.50
6/23/2010 Receipt and review of email from client; Supplement initial disclosures; Receipt and review of email from defense counsel; Supplemental joint report; Prepare email to defense counsel	1.50 475.00/hr	712.50
6/24/2010 Telephone conference with client; second Telephone conference with client; Finalize and efile joint report; Finalize initial disclosures	0.50 475.00/hr	237.50

	<u>Hrs/Rate</u>	<u>Amount</u>
7/21/2010 Calendar dates on scheduling order and dates and deadlines triggered by scheduling order dates	0.20 475.00/hr	95.00
8/9/2010 Prepare written discovery to all defendants; Prepare letter to defense counsel	2.50 475.00/hr	1,187.50
9/29/2010 Receipt and review of letter purporting to be from client	0.10 475.00/hr	47.50
11/1/2010 Travel and appear at hearing; confer with client and counsel	3.50 475.00/hr	1,662.50
11/2/2010 Conduct Rule 7 conference with defense counsel (Amy Ghosh)	0.20 475.00/hr	95.00
11/9/2010 Research federal procedures and prepare draft motion for summary judgment, points and authorities, declaration, separate statement and proposed Judgment	4.50 475.00/hr	2,137.50
12/13/2010 Prepare declaration in support of reply; Analysis of draft reply	0.10 475.00/hr	47.50
1/6/2011 Receipt and review of notice of no hearing	0.10 475.00/hr	47.50
1/19/2011 Research regarding deadlines for cost bill and motion for fees; prepare email to co-counsel; conference with Neil Fialko regarding potential declaration	1.00 475.00/hr	475.00
1/25/2011 Prepare bill of costs; prepare application to tax costs; prepare draft fee motion	3.75 475.00/hr	1,781.25
For professional services rendered	<u>27.65</u>	<u>\$13,133.75</u>
Balance due		<u><u>\$13,133.75</u></u>

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EL SEGUNDO, CALIFORNIA 90245  
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TELECOPIER: (310) 322-3039

ROBERT R. RONNE

OF COUNSEL  
ARA SAHILLIAN

February 16, 2010

ATKINSON CARE HOME  
17035 Atkinson Avenue  
Torrance, CA 90504

Attention: Muquet Dadabhoy

Re: Edgardo Seminiano

Dear Mr. Dadabhoy:

I represent the interests of Edgardo Seminiano, who was, in the past, employed by you. I will be looking into certain claims he may have for violations of the *Labor Code*, including for unpaid overtime compensation. Once I determine the extent of your violations, I will, at a time and in that manner I deem appropriate, advise.

Before we commence a lawsuit against you and your company (which we must do should we not receive a reasonable response to this submission to you), I provide you with my view of the estimated damages in this case, along with their component parts. My hope is that this effort will encourage discussion of an early resolution of this matter.

As you know, my client was, at various times, employed as caregiver by you and your company (starting on or about July 29, 2008) at your home health care type facilities. Regrettably, he was never paid properly for his labors.

The law provides that employees such as Mr. Seminiano must be paid minimum wage, as well as a "premium" amount for all overtime hours worked. Because Mr. Seminiano was not paid correctly, and as he was subjected to numerous other violations of the labor laws of the State of California (and of the Fair Labor Standards Act) Mr. Seminiano has certain rights against you, and others.

Those rights include receiving his overtime and minimum wage pay. Where there are unpaid minimum wages, liquidated damages under *Labor Code* Section 1194.2 of a doubling are owed by you to him (and, under the FLSA, as to all amounts owed). In addition, Mr. Seminiano

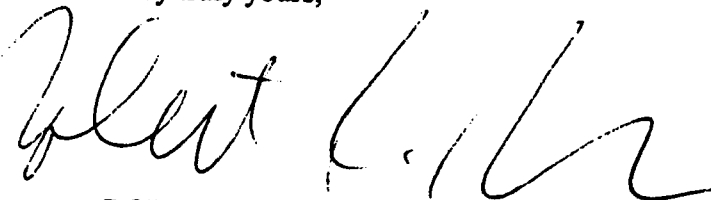
ATKINSON CARE HOME  
Muquet Dadabhoy  
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is entitled to receive continuing wages, often called "waiting time" and "paycheck" damages (see *Labor Code* Sections 203 and 226) because of your failure to pay all amounts owed after the termination of his employment, and as your pay records fail to reflect accurately the full amount of hours he worked and pay received; to receive compensation for any missed meal and rest periods (*Labor Code* Section 226.7, and appropriate regulations); to receive interest on all monies that remain unpaid; as well as his costs and our attorney's fees. When all amounts are totaled, your liability in this matter will exceed an amount of well over \$100,000.00.

As noted, should we not have heard from you (or, if you have one, your attorney) in a prompt and timely manner which reflects a substantial interest in an early, fair resolution of this matter, and in no event later than March 1, 2010, we will be forced to bring a court action against you and others seeking all relief to which we are entitled under the law, including potential claims beyond those noted here.

This letter is sent without prejudice to all of Mr. Seminiano's rights. If you have a lawyer, please provide this letter to same, and have them advise me immediately of their representation of you. If I am directing this letter to the inappropriate person, please advise who I should direct it to.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert R. Ronne", written in a cursive style.

ROBERT R. RONNE

RRR/jm